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RADIO SCRIPT OF SENATOR STROM THURMOND FOR HIS REGULAR WEEKLY
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MY FRIENDS AND FELLOW CITIZENS:

During the past week, we have seen very serious events taking place/in two branches of the Federal Government.

I refer to the action of the House of Representatives in its passage of the so-called civil rights bill -- without a jury trial amendment -- and to the decisions rendered by the Supreme Court in the Communist cases.

Failure of the House of Representatives/to provide in the civil rights bill for trial by jury in contempt cases/probably will make it more difficult/for the amendment to be approved in the Senate. Those of us who believe in constitutional government/now face the most difficult legislative task of our lives in trying to preserve/what we have regarded as guarantees in the Constitution.

I would not attempt to predict the outcome of the battle to prevent the passage of the civil rights bill in the Senate. What I can say is that I shall do everything in my power to fight against this insidious legislation.

As to the decisions of the Supreme Court, I want to discuss two of them briefly.

In the Watkins case the Court practically destroyed the effectiveness of the Committees of the Congress/to fight Communism in this country/through the power of investigation.

The Court has decreed that in such hearings as those which caused Alger Hiss to be sent to jail that:

"No witness can be compelled to make disclosures on matters" which might not be specifically authorized in the resolution which

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established the investigating committee. If a witness decides that a question is not directly pertinent to the work of the committee, he is protected by this decision of the Court from having to answer the question.

Many facts about Communism and law-breaking, which have helped to protect this country from Communists and outlaws, would never have been learned in previous investigations if this new decision of the Court had been in effect earlier. More important, it means that many facts we should know about the enemies of the people/cannot be ferretted out in the future if the Supreme Court imposes its own restrictions on the Congress.

Another decision handed down by the Court caused the freeing or retrial of 14 Communist leaders who had been convicted by a California jury of advocating the violent overthrow of the Government. The Supreme Court freed five of the Communists and ordered a retrial for the other nine. This order was issued on what I consider to be ~~extremely flimsy~~ *absolutely ridiculous* reasons.

First, the Court said the Smith Act does not define what is meant by the word "organize"/when it uses it with reference to organizing a group which advocates violent overthrow of the Government.

In prosecuting the case, the District Attorney contended that "organize" means the formation of new cells or new units/and that the Communists were engaged in such efforts. But the Court held to the narrow view that "organize" means original formation, such as the original creation of the Communist Party in this country.

Second, the Court ruled that the District Judge failed to charge the jury properly/in that he did not make a clear distinction

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between advocating violent overthrow of the Government as an abstract principle/and advocating it as in the sense of taking action in that direction.

These decisions greatly narrow the grounds on which action can be taken to protect the Nation. It seems that the Court is just as determined to protect what it says are the rights of Communists/as some members of the Congress are determined to deny the right of trial by jury to some citizens/by passage of the civil rights bill.

I still hope it will be possible to save ourselves from both these dangers.

This is Strom Thurmond in Washington. Thank you for listening and this station for making this time available each week.

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